

ETC Annual Reporting Requirements 47 CFR §54.313(a)(2) through (a)(6) and (h)

Section 1: Certification Required For ALL Recipients of High Cost Support (ILECs and CETCs)


Section 54.313(a)(5)-(6) of the rules of the Federal Communications Commission ("FCC") requires EtexCommunications, L.P. d/b/a Etex Wireless ("Etex Wireless" or the "Company") to be able to make certifications regarding service quality standards and consumer protection rules and the Company's ability to function in emergency situations. The Company makes these certifications below.

I, Gaston DeBerry, III, am an officer of EtexWireless and hereby certify:

- That the Company is complying with applicable service quality standards and consumer protection rules.
- That the Company is able to function in emergency situations as set forth in §54.202(a)(2).¹

Name of Officer (Print): Gaston DeBerry, III

Title: President

Signature: 

Date: 6/25/2012

¹ Section 54.202(a)(2) requires ETCs that are designated by the Commission to "demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."

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Section 2: State-Designated ETC Reporting

In its *Clarification Order*, the FCC required state-designated ETCs that are subject to a state requirement to report to the state some or all of certain information annually, to file a copy of any relevant information with the FCC in 2012.² Specifically, state-designated ETCs must file information concerning outages, unfulfilled requests, and complaints as required in Section 54.313(a)(2)-(4) of the FCC's rules if the state requires ETCs to report some or all of this data.

EtexCommunications, L.P. d/b/a Etex Wireless is located in Texas. This state commission's rules do require state-designated ETCs to file an annual report containing some or all of the following information: information concerning outages, unfulfilled requests and/or complaints. Pursuant to the *Clarification Order*, below is the relevant information that the Company provided in its most recent annual report:

1. §54.313(a)(2): Service Outages

See Attached

2. §54.313(a)(3): Unfulfilled Service Requests

See Attached

3. §54.313(a)(4): Service Complaints

See Attached

**Certification of Officer as to the Statements Made Above and Accuracy of Any Data Provided
Concerning Outages, Unfulfilled Requests, and/or Complaints**

Name of Officer (Print):

Gaston DeBerry, III

Title:

President

Signature:



Date:

6/25/2012

²Connect America Fund, WC Docket No. 10-90, A National Broadband Plan for Our Future, GN Docket No. 09-51, Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135, High-Cost Universal Service Support, WC Docket No. 05-337, Developing an Unified Inter-carrier Compensation Regime, CC Docket No. 01-92, Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Lifeline and Link-Up, WC Docket No. 03-109, Universal Service – Mobility Fund, WT Docket No. 10-208, Order, DA 12-147 (rel. Feb. 3, 2012) (“Clarification Order”) at para. 10

1. My name is Danny Kellar. I am employed by Etex Wireless in the position of General Manager. In this position, I am personally familiar with the Federal Universal Service support received by the Company and how the Company uses these funds.
2. Etex Wireless was granted ETC designation by the Public Utility Commission of Texas ("Commission") on February 1, 2007.
3. As a condition of being designated as an ETC, Etex Wireless made a number of commitments to demonstrate that its ETC designation was in the public interest. These commitments were designed to prove that the Company's ETC designation would bring benefits to the public that were above and beyond the *status quo*.
4. In regard to Lifeline and Link Up Service, Etex Wireless.
5. In regard to service availability, as a condition of ETC designation, Etex Wireless assumed the obligation to offer service to any customer within its designated service area, as well as, committed to increased advertising for federally supported services. The Commission has previously determined the necessary steps that a wireless provider such as Etex Wireless must take in order to meet this obligation. "The Company currently fulfills its advertising commitment by running television commercials, airing radio spots and by placing outdoor advertising on billboards since being granted ETC designation. Further, the Company provides adequate wireless service throughout the designated service area and has not received any requests for service that required it to take any of the additional steps identified in its Application since it was granted ETC designation by the Commission.
6. In regard to customer service, the Company committed to provide customer support twenty-four hours a day as well as adopt and comply with the CTIA Consumer Code if the Commission granted ETC designation in order to demonstrate that its ETC designation was in the public interest. Since becoming an ETC, the Company has adopted and is in compliance with the CTIA Consumer Code, therefore continuing to meet this requirement.